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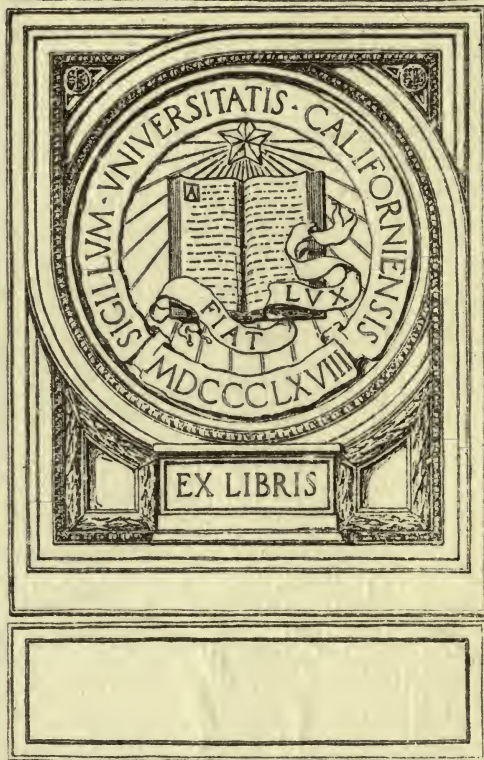
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*The Author.*

**STATE SOVEREIGNTY.**

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AND A

**CERTAIN DISSOLUTION OF THE UNION,**

BY

**BENJAMIN ROMAINÉ,**

An Old Citizen of New-York.

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*To the Honorable John C. Calhoun,*

NOW VICE PRESIDENT OF THE UNITED STATES.

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NEW-YORK :

JAMES KENNADAY, PRINTER, NO. 2 DEY-STREET.

....

1832.





# STATE SOVEREIGNTY,

AND A

CERTAIN DISSOLUTION OF THE UNION,

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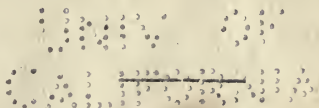
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History Sather

TO WHOM  
IT MAY CONCERN

## TO THE PUBLIC.

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In August 1831. Vice President Calhoun's first and most extraordinary publication, made its appearance, occupying *seven columns* of close newspaper print,—declaring the right of a state to nulify the laws of the United States, on the grounds of its Sovereignty.

It is a solecism in language and false in *fact*, to call that *Sovereign*, which is subject to the control of another. What shall restrain a Sovereign power, but its limitations? If the states are all Sovereign, and without an effectual check, or limitation, then is the United States Sovereignty null, because of its limitations: and this is the sum of the whole matter, now at issue.

The Vice President now makes his second public appearance, in the Charleston Mercury, of date the 23d August last, 1832,—in *twelve additional columns* of close newspaper print, which does not add a single important idea to his seven column production of August 1831. The wordy web indeed, is now of far finer texture, and well calculated to the purposes of it. It is a mere tissue of political metaphysics, to be believed without the possibility of understanding it.

On the face of the matter, the Vice President is now drawn out by the request of Governor Hamilton of South Carolina,—who has been transformed, in a few short months, from a private soldier of the militia to a Major Generalship, in addition to his gubernatorial command.

It would thus appear that all things are now ready for the noble work of nulification: as originally planed by that notorious Englishman and monarchist, President Cooper of South Carolina College, and Robert Y. Hayne and Stephen Miller, Senators, and George McDuffee, W. M. R. Davis, John M. Felder, John H. Griffen, W. T. Nockles and Robert W. Barnwell, all members of Congress: had also, recently proclaimed, and fixed their Signatures to a like manifesto. I am happy to make known, that all these gentlemen are of South Carolina only.

It is now already seen, in every direction, that Vice President Calhoun's "*sentiments and opinions of the relation which the states and general gov-*

ernment now bear to each other," are repeatedly quoted, and are widely spreading their most deleterious effects, throughout our states, throughout this continent, and, no doubt, throughout Europe also. It has already contaminated, in a greater and a less degree, the entire region of the South. "It sweeps along like the dark and deleterious Sirocco winds, over Affric's burning sands," and "like a new born mist, now seems to blot the sun !"

I have no personal enmity to gratify, n y partialities are favourable to the Vice President as a man, but I can have no idea of half-work in so important a matter, as now agitates the public mind. I only regret to have failed, in several efforts, to elicit some competent talent, in aid of so vast a concern.

With this apology, and with the most profound respect,

I am, the Publics, most

Obedient Humble Servant,

BENJAMIN ROMAINE..



# STATE SOVEREIGNTY,

AND A CERTAIN DISSOLUTION OF THE UNION,

BY

AN OLD CITIZEN OF NEW-YORK.

TO THE HONORABLE JOHN C. CALHOUN,

Now Vice President of the United States.

## No. 1.

SIR,

I have the honor of a short personal acquaintance with you,—sought for and had, during the late war, at the city of Washington, on the several occasions of my official duties there. I have listened to your “*sentiments*,” on the floor of Congress, with pleasure; and the promptness of your subsequent answers to my several written communications, gave me a favorable opinion of your fitness for office.

Your very laboured publications to sustain an existing “*paramount*,” Sovereignty in our several States, since the adoption of the present Constitution of the United States, has occasioned a general surprise, and much painful regret. Your *Station*,—the *time, manner*, and perplexing *matter* of your address, has made it a subject of the highest importance, not to us only, but very specially to the Republics of South America, who had adopted our model, and now held in a confused struggle of formation, from this impracticable doctrine, sought to be sustained among us.

Of this anti-federal germ you now stand forth the unequalled advocate, although we have a deep experience, and *certain knowledge* of its destructive tendencies.—This I now pledge myself to substantiate, in a few short numbers, and which, in strict propriety, are addressed to you as my special auditor. It is evident that a great and mighty change of political sentiment, is about to pervade a large portion of this globe. Such great changes, whether religious or political, are of rare occurrence. Europe has been held under the uniform power of *personal despotisms*, for more than two thousand years, and the struggle now

is if their institutions are to be eternal! Our written model of republican Constitution, has gone forth thank God, and yet stands foremost in this high career of social melioration. Hence, Sir, the vast concern to sustain it in all its original purity, and as it was adopted by a united Sovereign people, and as now displayed by its ample energies,—all operating, in due checks and balances, and resting *mainly* on the single lever of the *elective franchise*.

It is on this part of your address, I am now constrained to animadvert. The tariff question has been laboured,—the constituted authorities have decided, and their I rest that part of your address.

From your elevated station, bringing into serious controversy any of the fundamental principles of our Constitution, your recently published "*sentiments and opinions of the relation which the States and general Government now bear to each other*,"—could not but arrest a general attention among your fellow citizens; and must ultimately *seize* on the high consideration of foreign Governments, with home we have made, and now hold the most important treaty relations; all of which are *bassed* on the idea of *supreme Sovereignty in the collected body of the people of the United States*.

A total denial of this fact, is the main subject of your address, and you are the first man who ever assumed a like position, and grounded on a "*paramount*" Sovereignty of the individual States, since the adoption of the present Constitution. It is clearly seen, that, your assumption became of indispensable necessity as the ground work of your system of nulification. You have indeed placed yourself, in the front ground, but it can no longer be doubted to be the work of a combination. You have seized on the death robes of the deceased Jefferson to bear you out in your assumptions. You have raked into the embers of his election to the Presidency, in 1800, and the then opposition to the Alien and Sedition laws, and applied these to your present system of nulification. To proceed these foreign powers must shortly charge their several Embassadors, strictly to inquire if, in reality, the old



*State Sovereignty texture*, of our confederation of 1778, under which they refused, or rather could not treat with us, as a united Sovereign people,—had never ceased to exist; and, if they had been led, *deceptively*, into those treaties, which you now hold that, *a single Sovereign state can nulify at pleasure*. And if furthermore if our much boasted present Constitution of general Government, had falsely declared to the world, that their “*laws were the supreme laws of the land.*” These powers will naturally present *your* publication, of a paramount state Sovereignty, as the text-book of their inquiries;—“*so says your Vice President, the second officer of your Government!*”

Forty three years of practical use, and investigation of a few pages of plain written document, the Constitution of the United States, consisting of seven short articles, all expounded upon by seven Presidents of the United States, a regular succession of twenty-two Congresses, now composed of forty-eight Senators, two from each state, and about two hundred and ten of the immediate representatives of *all the people* of the United States,—added to these, are seven supreme judges, holding their stated court at the seat of government, “together with such other inferior courts in *each state*, as the Congress may from time to time, ordain and establish.” These are the main agencies,—among a host of minor agents, civil and military, of our government. The President holds his office during four years, the Senators six, the Representatives two, and the Judges during good behaviour;—*all under the penalty of impeachment, dismissal and disgrace for mal-administration, and all are bound together by the solemnity of an oath of faithful integrity to “SUPPORT THE CONSTITUTION OF THE UNITED STATES.”*

—THE INDIVIDUAL STATE AUTHORITIES TAKE THE SAME OATH, and you have taken the same oath,—and are now acting under the high penalties of it.

“*All this dread order break, for whom.?*”—

You now declare to have assumed as *facts*, and as the main “*BAÏS*” of your productions,—certain Kentucky resolutions, and a report of the Virginia Legislature,

as far back as 1798, and passed during the heat of that unexampled party contest, which placed Mr. Jefferson in the chair of the Union!

These long by-gone circumstances, are now totally irrelevant to your present system of nullification. The resolutions of 1798, went to oppose the administration of that day, on the unconstitutionality of the Alien Bill, and the Sedition laws,—“*as infringements on the liberty of the press, and the freedom of speech*.” The first empowered the President to seize any alien, *suspected by him* to be inimical to the government, and order him to depart the country. This Bill was mainly aimed at the French citizens among us,—then in the progress of their revolution. The Sedition law imposed a fine and imprisonment on every body, *whether alien or native*, “*for writing, publishing, or proclaiming any thing tending to bring the government, or its officers into disrepute.*”

Several prosecutions, fines and imprisonments were had, in the *state courts*, under one or both these laws. They became extremely obnoxious; and with Mr. Jefferson at our head, and by *means of the elective franchise!* we opposed them with all our might;—and thereby, CONSTITUTIONALLY, removed that Congress and administration from power. “Go thou and do likewise.”

The Virginia resolution of 1798, you now apply, and torture their meaning, into your present system of nullification, and openly declare Mr. Jefferson as an accomplice!!! He will be fully rescued from the daring aspersion on his posthumous fame.—Your principles of nullification go to destroy the constitution,—Mr. Jefferson’s principles to sustain it on the ground of the elective franchise,—based on the will of the *majority*, which you now also *declaratively* oppose. Mr. Jefferson asks—“*is he honest, is he capable, and will he support the Constitution and laws of the United States?*” what, Sir, would he now say of your recently declared “sentiments and opinions,”—in direct opposition to the Constitution, and the “*supreme laws of the land?*”

It will facilitate the means towards a more clear understanding and patriotic attractment to our *exist-*



ing "*relations*, between the states and general government," and especially so, to many of the present and rising generations, if we step back, for a few moments, and retrace a short sketch of **FACTS**, not "*opinions and sentiments*,"—which, as a people, and *heretofore* as separate state Sovereignities, we have borne, and that which we now bear to each other.

On looking over your most dangerous and extensively spread epistle, to the people of the United States, it was found that you had adhered almost wholly, and throughout seven columns of close newspaper print, to a mere detail of "*sentiments and opinins*" of your own and *one other man, whom you have named, and thus doomed to share with yourself, the high responsibility of YOUR OWN assumptions!* I am sorry to see that great man now named by you as an abetter of your present creed, because, *he is dead!* His inaugural address, in the Presidency proves that, he never was an *anti-federalist*; at the head of whose banner you have now arrayed yourself.

Your plan of address, by way of "*opinion*," while it affords to you infinite scope, not requiring to be narrowed down by **FACTS**, determined me to an opposite course, both for brevity sake, and as far as possible to exclude "*opinions*," and leave the community to judge from the *facts* in the case.

Yours, &c.

BENJAMIN ROMAINÉ.

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## **STATE SOVEREIGNTY,**

AND A CERTAIN DISSOLUTION OF THE UNION.

No. 2.

SIR,

I now proceed to a short sketch of **FACTS**, in relation to our General and State Governments, as

mentioned in No. 1, with the view to a more clear understanding of this important subject, and specially so, to many of the present and rising generation, and thus to inspire a patriotic love of our present Union from certain historical facts, thus made familiar. These States were originally divided into thirteen distinct colonies, and subject to Great Briton. Each Colony was held to the Sovereign power by separate charters, alike in character, and which contained a regular form of Government, very like our present State Governments, to which they served as modals.

The Colonies, now States, all bordering on each other, in one vast range of territory, were at no time a divided people, either in general sentiment or action, but on all occasions of insult, or imposition of the old step-mother, on one Colony, the whole rallied in a mutual defence; They were however prohibited all foreign commerce, and in some cases the internal commerce between the colonies was restrained. In a most special manner internal manufactures were forbidden, under certain pains and penalties,—Machinery of every kind, to such end, were hunted out by spies and informers, burnt and destroyed, even the household labours of clothing and the necessary implements of husbandry were limited, in their construction; and Pitt, the British Minister (whom we are in the habit of eulogising) had declared that the “Colonists ought not to be permitted to make a Hub Nail.”

The Colonists submitted to these restrictions without any general risings; but on all attempts to raise a direct revenue by mere act of Parliament, and without our due representation there, or even the consent of our Colonial Legislatures, was instantly met by a combined opposition, on the ground that “representation and taxation were inseparable, by the British Constitution.”

In 1764, certain Bales of stampd paper, were transmitted to the Colonies, by act of Parliament. The old Dutch Republicans of this city, who emigrated here from Holland, when it was a republic, and who had been exchanged, by Holland, to the English, for

surrinam in South America, seized on the stamp papers, and burnt them, together with Lieutenant Governor Colden's coach, taken from the west wing of the Fort, mounted with about forty pieces of cannon, and which then stood at the lower part of Broadway, below the present Bowling Green.

The obnoxious stamp act was repealed, and the Colonies returned to their allegiance, regardless of the declaration, which was suffered to remain on the English Statute Books; proclaiming their "*right to tax the Colonies in all cases whatsoever.*"

The British Government then proceeded to erect new Forts, and strengthen the old ones, "*to transport and quarter among us, large bodies of armed troops, without the consent of our Legislatures ;*" and in 1775 the famous Tea-project was ordained, with determination to enforce a direct tax. Accordingly a ship load was sent to Boston, and the people, committed the whole cargo to one drawing in the salt waters of Massachusetts Bay. Boston harbour was blockaded and her Charter declared null and void. The Colonists rallied in defence, and afforded every aid to the invaded Colony.


The determination of England to enforce her long brooded intent, to raise a direct revenue, in addition to the vast advantages derived from the Colonies, as the consumers of her surplus manufactures, was no longer a matter of doubt.

It became necessary to prepare for the conflict, or yield, *ingloriously*, to a degrading submission. The Colonists chose the combat! They were destitute of the munitions of war, and without consencration to direct any unitted force. Their chief cities were occupied by trained regiments, in military array, and their harbours guarded by hostile ships. The uniting Sovereign power, was not only withdrawn, but had declared the Colonies to be in a state of rebellion to it.

Such, Sir, was the train of relations which the Colonies (now states) then bore to each other ; and if ever a time existed, calculated to "*try mens souls,*" the point of it, capt the climax of human firmness.



Our political ship was thus launched on the wide ocean of revolt and made subject to the caprice and dictation of thirteen *adventitious* Sovereignities, and independent commanders-in-chief; and all of them unacquainted, or crudely informed, to act in their newly acquired capacity, to wield or direct a united Sovereign power.

 *In all communities of men it has been found indispensable to create a MAJESTY, a Sovereign controlling power, an Arbiter which can have no equal, and much less a superior, or it could not be Sovereign, nor act efficiently to a general interest.*

Thus Governments of every kind must possess the power of self-preservation.--They must be able to enforce the civil laws, command the national purse, bring into action the physical force, put down insurrection and rebellion, punish treason, repel invasion, defend the nation against foreign power and internal defection, and thus provide for the general welfare. No Government can permit, or shew a weakness, or failure, in any of these indispensable requisites, with security to itself, and let it be forever remembered "*that fears in the public councils betray like treason.*" We ought never to doubt for a moment, of the efficiency of our government, to sustain its united integrity.—Washington's farewell address.

To proceed. The Colonists began their research of a new Sovereign, at the true fountain head of all legitimate authority. THE WHOLE PEOPLE; and have finally constituted and "consolidated" themselves, as the only true, and never to be divided Sovereignty;—thus for ever excluding all *personal rivalships*, and family successions, from the supreme power. These have been the causes of the most cruel and vindictive wars of any other source of contention among mankind. The distressed people of Portugal are now suffering in their blood and treasure, in a mere family rivalry.

On closing this number, I am constrained here to say, in advance of my subject, and with great reluctance, that, in my full belief, no man, of all the parties

whoever spoke or wrote in relation to our union, has ever presented to the world our united Sovereignty in so unfavourable a condition, as you have done. For the present, the following extract, from your production will afford a short specimen.

You have declared to the world, "that the South *demands* free trade, light taxes, economical and equal disbursements, unshackled industry *leaving them to pursue their own interests.*" (This demand is impossible while the present Constitution exists.) That "from the *Potomack to the Mississippi*, if dependent on their own volitions, every shackle on commerce would be removed, *which now represses, and encroaches on their enjoyments.* That no two nations EVER entertained, more opposite views of POLICY, *than these two sections!!*" (I take these "sentiments," to be a direct excitement to rebellion, and a gross calumny on the patriotism of the intire South of our union.) "That we have arrived to a point which a *great change CANNOT be much longer delayed, and the more promptly it be met, the less excitement there will be, and the greater leisure, and calmness in making the* TRANCISION; (what trancision?) *and which becomes those the more IMMEDIATELY interested to consider!* [who are they.] *That to delay longer must finally increase the SHOCK, and disastrous consequences which may follow!!!*" If these "sentiments and opinions," do not lead direct to a dissolution of our union, I know of no words, more expressive of such effect; and the Potomack is assumed as the line of separation. Thus according to your "sentiments," all further attempt to modify the tariff duties as a peace offering, must prove to be worse than useless! at any rate, the extent of your patriotism, of which you repeatedly boast, differs widely from that of the father of his *united* Country, whose prophetic mind foresaw all you have now written, and therefore placed *his opposing "sentiments"* on the eternal record!—Viz:—"The unity of government which constitutes you *one people*, is also ever dear to you, much pains will be taken to weaken in your minds this

"truth. Designing men may endeavour to *excite a belief that there is a real difference of interests and views; beware of heart burnings from these misrepresentations.* Frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, enfeebling the sacred ties, which link together the various parts!"

No. 3 will assume a more regular  
train of relations on this all  
important subject,

} I am, Yours, &c.

} BENJ. ROMAINE.

## STATE SOVEREIGNTY,

AND A CERTAIN DISSOLUTION OF THE UNION.

### No. 3.

SIR.

In No. 2 the events of our Revolution, from its commencement, were noted, and it is now intended to keep the subject in connection, as far as a hasty review will admit. The absolute necessity of some general form of United Government of the Colonies, became indispensable to a successful opposition to the vast power of England.

The Colonists, as stated in No. 1, began their researches of a new Sovereign Authority, at the only true fountain head of all legitimate Sovereignty,—**THE WHOLE PEOPLE.**—From their primary assemblies they first delegated the power to certain committees of "*public safety*,"—to communicate with like committees, in the several Colonies. Provincial, or rather Colonial Congresses followed in course, and finally a Continental Congress was delegated from the same sacred fountain. They were however cautiously intrusted with powers which had relation to the whole Union. Each Colony paid its own delegates, and on the recommendation of the General Congress, each independent Colony furnished, *or not*,



as they chose, their quota of men and means to a general defence, and *then* without incurring the sin of rebellion or treason.

The immortal Congress of 1776, saw in clear perspective, the doubtful cohesion of the thirteen Sovereign Commanders, at least in their Colonial capacity, and on the 4th day of July, 1776, they assumed a daring attitude,—*a national character!* They appealed to their God, and the civilized world, “*and declared the United Colonies to be free, Sovereign and independent STATES!*”—a noble response resounded throughout the land, the received spirit appalled the internal opposition, and Europe hailed the energy, and magnitude of the deed; aid and alliances followed, as the new Constellation was seen rising at the verge of the political horizon.

Hostile armies were landed on our coasts in 1776, and began their work of destruction by fire and sword; and Washington was beaten in every direction. Our war of defence dragged on heavily, from the tardy supplies of the several Sovereignities, and at the beginning of the Winter of 1777, our little reduced army was in full retreat, through the Jerseys, towards Philadelphia, and closely pursued by a British force, more than three times our number.

The Congress then requested Gen. Washington to accept *the sole direction of the war!* when he instantly faced about, and at night, in a violent snow storm, he recrossed the Delaware River, a short distance above the enemies' camp, and captured nine hundred Hessians at Trenton. The General writes to Congress, “*that the soldiers were then destitute of shoes to their feet, and that their footsteps were marked in blood!*” The British General was obliged to retrace his steps back towards New-York, and failed to reach Philadelphia that winter.

In 1778 the Congress, as an additional incentive to a unity of defence, presented to the State Legislatures, for their adoption, a kind of general Constitution, consisting of thirteen articles, declared to be “*articles of confederation and perpetual union.*”

They were however, not ratified by the States until the 1st of March, 1781, two years only before the close of the revolutionary war, because of the incessant excitement of State jealousies.

This "*firm league of friendship*" between the states, begins thus,—"*each state retains its Sovereignty, freedom and independence, and every power, jurisdiction and right, which is not, by this confederation, expressly delegated to the United States in Congress assembled.*" Our present Constitution begins thus,—"*We the people of the United States, &c.*" The words State Sovereignty, are not mentioned in it, and for the best reason in the world, because that was yielded to the *general government*.

The state Sovereignities, before they ratified the articles of confederation, had restricted the powers of Congress, in making *war and peace*, in borrowing *monies*, in the formation of *treaties*, and regulations of commerce, &c.

Our internal supplies depended as before the Confederation, on the will and pleasure of each Sovereign State. The general Congress was expressly forbidden to make any "treaty of Commerce, whereby the Legislative power of the Sovereign States shall be restrained from imposing such imports and duties on foreigners as their own people are subject to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever," &c.

I seek brevity, Sir, nor is it necessary further, in this place, to notice the defective arrangements of the old confederation.

Nevertheless the seven years battle was fought, and the British Lion was made to cower under the talons of the American Bird, in 1783. *Britain however predicted, and on commercial grounds, that destruction from our internal discord, which her arms had failed to effect ; and now also, from your recently published "sentiments and opinions," and on the same grounds it is threatened and made to appear that, the fulfillment of the prophecy, is near at hand , and the present English Tariff question, is to complete the*



prediction!!! But I am again in advance of the subject.

Four years elapsed, after the peace, under the old confederation, and which had completely failed of all uniting purposes between the Sovereign states. The extension of our commercial relations, and the local, *dissimilar*, and imposing arrangements of some of the most powerful states, pointed to a more efficient Legislation to preserve the integrity of the union; and more especially, for the *united* adjustments and formation of our treatise, both political and commercial with foreign states and nations.

These nations refused, nay they *could not* treat with us *collectively*, as a united people, while the several states continued to be distinct and separate Sovereignties, as declared by the old confederation.

Thus our existance in thirteen independent Sovereignties, and destitute of a united and controlling energy, was demonstrated to be totally incompatible with union at home or respect abroad, and which *became the sole cause for calling the convention, of the then Sovereign States to remedy the evil!* Certain states had actually commenced restrictions on the intercourse with other states, and to form separate tariffs of internal duties, and also on "*exports and imports*," with foreign nations. *Alamode,—your State Sovereignty.*

A new state of our relations was thus seen to be of *immediate necessity*. The state Sovereignties had, as yet, no enmities towards each other; they were a Band of Brothers,—left destitute of a cohesive principle which the pressure of the war had effected, and were about to form separate treatise with foreign nations, and thus to become the sport of tyrants, and the derision of the world!—Yes, Sir, and all this in about four years of peace, and after their joint, and successful war of revolution. *Thus had the states in their separate Sovereignties well nigh completed the ruin predicted by our enemies at the end of the war!*

These once venerated shades (the State Sovereignties,) you have now raised into new life, and placed

them once more in hostile array to each other, and specially to the general government, and clothed in the most terrific forms. The present and rising generations are now taught, by the Vice President,—*that no two nations ever entertained more opposite views of policy and interests, than the two sections,*” the South and the North of our republics, “*on the line of the Potomac!*” What can now suffice all the declarations of your patriotism, as regards the integrity of the union, after such *deliberate, open, and avowed “sentiments and opinions?”* The excitements of speech, on the floor of Congress, do not bear, on the public mind, that force of intent, though the same “*sentiments and opinions*” be expressed in the heat of debate.

I am, Yours, &c.

BENJ. ROMAINE.

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## STATE SOVEREIGNTY,

AND A CERTAIN DISSOLUTION OF THE UNION.

No. 4.

SIR,

In No. 3, the most critical events of our revolution were hastily sketched. The declaration of Independence, in 1776, revived the drooping spirit of the Colonists, appalled the internal opposition, and Europe hailed the energy and magnitude of the deed. The seven years battle was fought and won; *when*,—in less than four years after the peace, the states, in their individual Sovereignty, had well nigh produced that ruin to our union, which the whole power of England had failed to effect; and which Lord Sheffield had predicted, in his writings of that day, on the American COMMERCE.

The United States government, constructed as it now is, of agents to execute the whole people's Sovereign power, and who are to be changed at their will, can never become a tyranny. The state governments in Sovereignty must, long e'er this day have become contending despotisms;—our revolution a curse, and

the people of each state made aliens, and foreigners to each other, and far less degrading and humiliated would have been our present condition, to have remained the slaves and commercial dependents of our old task-master.

Every individual would now be obliged to seek passports,—suffer search of Person, of Baggage or Merchandize, at the point of the bayonet, and a thousand harrassments in passing and repassing through each of the Sovereign states. In such case I need not mention the personal affronts, the contentions, and honorable wars, between certain state High-Mightiness, Chieftains, Kings, Lords or Barons; and all to be held in perpetual armour, and other proud Ensingnia, of battle to sustain the dignity of their several independent state domains, at the expense of blood, and the treasure of an enslaved people. Even now, such *choice spirits*, though yet without titles, we have never ceased to witness them here, *flitting about*, in our several states, and in a kind of mimical majesty, creating disputes, both political and personal; and then searching for partizans to defend their *characters*, in both capacities; and specially in their repeated attacks on the general government. These men will always be found, determined to sustain the states in their individual Sovereignty, because when that shall be seen as “*obviously impracticable*,” under our present constitution, as the convention who formed it, declared it to be, then will the “*Othellos’ occupations be gone*,” and the boundry line be set to an irregular and tumultuous ambition. I would not be understood as censuring the honorable pursuit of fame. This passion truly directed, is the glory of man. Washington is one of the brightest examples, in its pursuit! I will further remark here, that, our free trade, and uninterrupted intercourse between the states, by land and water, now free from “*imports*” and other taxation, as the winds which wafts it a long our whole seaboard, and the rivers of the interior; which, together with our Canals, Rail-Roads, and other national improvements, if not blighted by your nulifications, must continue to



increase our free international commerce, and speedily produce the best market in the world for the consumption of our staple productions; and thus ultimately fill up the measure of our glorious Union and Independence!

Permit me now to sketch a parellel to our existance, in separate state Sovereignties. About one thousand years ago the Emperor Charlemagne attained to the sway of Europe, and after his death the Empire split into about nine hundred independent Sovereignties. The scenes of blood began; each Baron, or Chieftain, contended with the others, for increase of dominion;—and that devoted country, to this day, presents the unceasing groans of a *political Volcano*, and ready to burst forth, every moment. It is now, governed by about three hundred distinct Sovereignties; and the great body of the people exist,—in humiliated poverty; and are driven to exercise the most ferocious passions against their nearest neighbours. All these sovereignties are now sustained in perpetual preparation for war with each other, and which frequently depends on the mere breath of a single individual, who may have become affronted with his neighbouring Chieftain, perhaps at the instigation of some modern Helen, or Cleopatra, or on some diplomatic quibble, always at hand, when war is declared. After this thousand years round of bloodshed, Napoleon Buonaparte, had again nearly grappled the whole, and brought Europe to the point, of sole dominion, where Charlemagne had left it a thousand years before. This, Sir, is in amount, the history of Europe for the thousand years last past, and may serve as a model, to minds capable of *critical investigation*, on the doctrine of chances, in our State Sovereignties, for a thousand years to come.

Will you, Sir, now pause with me for a moment, at the verge of the precipice, to which *facts, of our own experience*, not “*opinions*,” have, again brought us back in full review? and to which the states in their Sovereignty had led the people of the United States in 1787, as stated in No. 3. Can you now believe, and yet hold it as your “*confirmed opinion, that on the*

*“recognition and continuance of our states in their individual Sovereignty, depends the stability and safety of our political institutions?”* Sir, your misgivings have become apparent, as in many other parts of your production, and you do well now to state, that, *“I am not ignorant, that those opposed to the doctrine (of State Sovereignty,) have always, now and formerly, regarded it in a different light, as monarchical and revolutionary!”* I am almost sorry that you were not **“IGNORANT”** of this **FACT**.

However this may be I proceed most joyfully to state, that, in the direful emergency, as above stated, and within one step of a like course of destructive consequences, the ever guarding angle of our union, *once more* led the way, in a straight line, to the harbour of our salvation! Will twelve millions of United Freemen now fail of a redeeming power from the aberrations of about three dozen of her tumultuous and boisterous sons?

In the same year, 1787, were assembled at Philadelphia, a convention of sages, Washington, Franklin, and Madison were among them, regularly, delegated and instructed; by their *local and separate state Sovereignities*, then in full power and authority. You, repeatedly, and *nineteen times over*, insist that, these delegates acted throughout in behalf of their respective states only, and not as from *“one aggregate political community,”* This, is a selfevident *fact*, and needed no repetition, because there was then no *“aggregate,”* or United Sovereign people in existence here, it was to effect, **THAT**, as the *main object*, which the Sovereign people of the states, by their united convention was in search of, and which had become absolutely necessary to relieve *themselves* from the impending dismemberment of the union, which the states, in their Sovereignities, had nearly accomplished. Of all absurdities, **THAT** on which you now predicate, an existing state Sovereignty, and from the very act (the present Constitution of the United States) by which they *unanimously* relinquished it, is the most derogatory to com-



mon sense, and acknowledge fact, of any “*sentiment*” ever assumed on the public credulity!!!

To proceed. That august body, unparelled in the annals of history, has displayed to an admiring world, a *political phenomenon*,—the Sovereign power is not placed in an individual, but in the *whole people* of the United States! The military is made subject to the civil power, and has now controled it, both in peace and war, for more than forty-three years, and the majority governs by universal suffrage. Our Republic is marching on a line unpracticed in the history of man. The eyes of philanthropists throughout the world, view every of its seeming oscillations with doubting and painful sensibilities; while its foes glory in every phantom view of its ruin. The careful preservation of a true history of men and things, is all important to us, to the world, and to future ages. Every member of this grand republic should treasure up his recollection, and those who can write, to sustain their parts, and fearlessly sketch, in bold relieve, the true political character of men and things, whatever their station has been or may be. Political immorality has at all times opened the flood-gates of human woe, and made this world an aceldama of blood.—“*Any thing is fair in politics,*” say some, and again, “*I care not a d—n for my political character, that is fair game.*” &c.

Our Government was formed by the unanimous vote of all the States, when in their separate Sovereign capacities, and nothing short of a like vote will be permitted to dissolve it as now existing in their united Sovereignty,—one and indivisible.

Six thousand years are said to have passed since the creation, and the United States is the first instance of a great nation, in a time of profound peace, whose religion was of their own choice, whose politics were derived from their own experience, freed from the power of personal despotisms, and from the superstitions of the old world;—and thus choosing their form of Government. Then it was, that our sages *deliberated*, and by the most happy combina-

tion, they finally *arranged, entwined, "consolidated," and formed our general Government*, and **WHOLLY BY AUGMENTATIONS OF POWER ADDED TO THE INDIVIDUAL STATE GOVERNMENTS!!** This fact will be demonstrated in No. 5. Can you, Sir, ever again repeat the gross absurdity, that these things "*strip the States of their Sovereignty, and degrade them in fact to mere corporations?*"

If, however, to gratify individual State pride, you chose to *misname* and yet call our State rights, State Sovereignty, it may for a while continue to confuse the public mind, though in either case, it can only be a **STATE AFFAIR**; and you cannot go, Constitutionally, one inch beyond your boundary line, without trespassing on some other State Sovereignty. But our *State Rights*, as now cemented into our *United Sovereignty*, is of free passport, and honorable mention throughout the world; they disdain to quibble, and excite turmoil and disunion by misrepresentations among the people.

Yours, &c.

**BENJAMIN ROMAINÉ.**

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## **STATE SOVEREIGNTY,**

**AND A CERTAIN DISSOLUTION OF THE UNION.**

*No. 5.*

**SIR,**

In No. 4, the advantages of our *union*, and the contrary, were delineated.

It is of general remark, "that the States had given away a large portion of their liberties to secure the rest." Such is not the fact. No important State authority, which they ever exercised, under the Old Confederation, except their *adventitious* and most destructive

individual Sovereignty, was yielded to the general Government, that is yielded to *themselves collectively*; and in the most ample manner and form, with full powers to enforce and sustain their undivided integrity, from foreign attack, and internal aberration. Not only was every *State right* made sacred, but vast additional powers and influences were guaranteed to them for ever;—a free press, a full share of representation in both houses of Congress, to guard the general and local interests of each State, and the free instructions to them in the Councils of the nation. The Senators from each State control the President in all our foreign relations, and in his nominations to office, both civil and military, which appertain to the Government of the United States. Are these things, and a thousand more, “the giving away of *State Rights?*” Each State now stands erect, as a mighty column, “*consolidated*” in the fabric of Union, and is protected by the whole power of it! That which injures one State, must injure all; and no unjust or unequal law can be long sustained, having such tendency, *if it be possible to afford relief*; and be assured Sir, that none of the states would yield their proud original, present eclat, and elevation in the eye of the world, (and their own *united power*,) for all the individual state Sovereignty blessings you now seek to renew as under the old confederation.

Suppose, Sir, that, by your influence and that of others, any state should be led to commence operations on the ground of its Sovereignty!—The first step would be individual and state perjury; and the line of march through Rebellion and Treason against the Sovereignty of the Union. I will only express an opinion here, by way of answer, which is, that not only every other State in the Union would instantly proclaim its interdiction against such individual *authority*, but that the united Sovereign people of such State, *themselves* would speedily arrest and settle the matter with the aspirants; and without a single effort of the general Government; as I have the best reasons to believe, old Connecticut would have done during the



late war, on the first overt act of treason, or rebellion against the union, and I also believe that the people of Georgia and South Carolina would do the same, at this moment! It will be found that, the *toil* and *labour* of our revolution is not to be trifled with by a few daring and desperate individuals.

To proceed, the convention having finished the work assigned to them, by their separate state Sovereignties, *did* on the 17th day of September, 1787,—“*Resolve*, that the preceeding Constitution be laid before the United States in Congress assembled, and that it is the opinion of this Convention that it should afterwards be submitted to a Convention of delegates chosen in each state, by the people thereof, under the recommendation of its Legislature, for their assent and ratification.”

In conformity to this resolution the Convention finally closed their labours, by the following (in part recited) address to the President of Congress.

Sir,—“We have now the honor to submit to the consideration of the United States in Congress assembled, that Constitution which has appeared to us the most advisable,”

“The friends of our country have long seen and desired, that the power of making War, Peace and Treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities should be fully and effectually vested in the general government of the Union. It is obviously impracticable, in the federal government of these states, to secure all rights of Independent Sovereignty to each and yet provide for the interests and safety of all.”

“In all our deliberations on this subject we kept steadily in our view, that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our *national existence*. This important consideration, seriously and deeply impressed on our minds, led each state, in the Convention to be less rigid on points of inferior mag-

“nitude, then might have been otherwise expected.  
 “That it may promote the lasting welfare of that  
 “Country so dear to us all, and secure her freedom  
 “and happiness, is our most ardent wish.”

With great respect,

We have the honor to be,

Sir,

Your Excellency's most

Obedient and Humble Servants,

GEORGE WASHINGTON, President,

By unanimous order of the

Sept. 17th, 1787.

Convention.

His Excellency, the President of Congress.

The Convention having thus recapitulated the main principles of the Constitution, in the plain simple language of it, and *then, understood* both by natives and foreigners in the same common sense way; and on the faith of which they entered into treaties with us as a “*consolidated*” and united people.

Sir, you have laboured hard and long, *and wholly against the OBVIOUS CURRENT OF FACTS*, and with *evident perplexity to your own mind*, in endeavours to prove the *fallacy* of a continued existence, under our present Constitution, of a plurality of independent Sovereignities, as under the old Confederation; when, Sir, to redeem the dread consequences in that state of things, (as proved in No. 3,) became the *sole cause* of calling the convention by the people of the Sovereign States!

The Convention also declares it “*obviously impracticable, in the federal Government of these States, to secure all the rights of independent sovereignty to each, and yet provide for the interest and safety of all.*” Here the Convention affirms the *abolition* of the State Sovereignities, as an act of plain common sense *necessity*, and to avoid a downright absurdity, from their having “*consolida-*

*ted*" the Sovereign power in the whole people of the States *collectively*; and who, by their several independent State Conventions, consented to be clothed with every attribute of power, denominated supreme, and as appertains to every other Government on earth; when each state, *then* relinquished its individual Sovereignty, and in good faith, proceeded so to alter and conform their several State Constitutions accordingly. If the State Sovereignities had been reserved; would they have failed to mention it in their State Constitutions? or in that of the United States? Surely, Sir, those sacred instruments, and specially *the old thirteen*, and those since formed, would have been made the depositories of so sacred a reservation!

I am, Yours, &c.

BENJ. ROMAINE.

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## STATE SOVEREIGNTY,

AND A CERTAIN DISSOLUTION OF THE UNION.

No. 6.

SIR,

Our general government is not now a compact, contract, bargain or compromise, between twenty-four independent states Sovereignities; that compact has been had, and settled. It is now a government in fact, holding command, and by order of the whole people, of *all* the energies of supreme power over the Union, to enforce and sustain its *undivided integrity*. It cannot now turn to the right hand nor to the left, until it be forced into a display of the peoples power, by some overt act, of daring obstruction to its straight forward, *constitutional* course.

If the executive arm shall fail, or refuse to enforce the supreme laws, or other misdemeanor, or *tumultuous excitement*, then will the peoples' *reserved power*, through THEIR *immediate representatives*, in the Congress of the United States, resume the executive command, and impeach such delinquent, at the



Bar of the Nation; whether it be the *President*, the *Vice President*, or other individual who may be called to exercise the Executive Authority; Then, Sir, will the *supreme judiciary* *preside*, and the Senate of the United States, the immediate representatives of the states, as states *collectively*, *try and adjudge* such delinquent, in conformity to the Sacred Charter of Union.

The Governor of Connecticut, on the request of Mr. Jefferson, then President of the United States, to have, I think, 437 men from that state, to enable him to enforce the law of Embargo on that coast, was denied by the Governor, declaring "the law of the United States to be unconstitutional! yes UNCONSTITUTIONAL as the tariff laws are now also declared to be by the Vice President of the United States!"

I have often thought, and do now believe, that if Mr. Jefferson had enforced the law of Embargo, in Connecticut at that time by Continental Troops, or had only called on the people of Connecticut, that 437 naked steels, both Federal and Republican, would have leaped from their seaboard to sustained him, in support of the general government. In such case, we should never have had the late and leading resolves of the scholars of that notorious Englishman, and noted monarchist, President Cooper (already mentioned) of South Carolina College, nor of the Colleton, *and present* resolutions of South Carolina; and now led on by their leaders, *governor and all*, to the borders of rebellion, in their opposition to the **TARIFF LAWS!**

President Jackson will shortly be put to the test, as respects his *courage* and *veracity*, in the execution of the laws of the United States, in South Carolina; or in some Southern Convention about to be raised up, and in opposition to the Union, over which he now presides.

Respecting the Hartford Convention in 1814, at the East, it has been repeatedly declared and never denied, that *General Jackson*, affirmed, that if he had

been in command there, he would have hung their *main leaders*, "*by the second article of war!*" *Our Southern Brethren* would do wisely to see to this thing, in this year of our Lord 1832!

Wrong precedents in a government like ours, we already see, become big with future evils, and which ought to be *speedily and firmly* corrected. It is thus only that our general government can attain and maintain a fixed character, as respects the exercise of its Sovereign power, amidst the present and most daring assumptions, on the ground of state Supremacy. I have now no doubt this will ultimately demand of the only true Sovereign authority, some high display of its Constitutional energies to preserve itself; or relinquish *ingloriously*, to a few desparate and daring spirits, to be found in every state, *the entire glory of our revolution!*—Have I here seemed to express a doubt of the energies of twelve millions of free-men to sustain their present proud stand among the nations of this earth? Perish the dastardly conception forever! This error of evil omen, having silently passed along in the current of our time, and without any general discussion, has really so far entered into a general belief, as to startle many of our informed citizens to hear it denied, that the States are not now, nor have been Sovereign since the adoption of the United States Constitution. It would be well to begin a new, and reflect on the true meaning of the word *Sovereignty*, as understood at the adoption of our Constitution. "*It is the supreme power in all communities!*" and even two Sovereigns in the same community is an absurdity; and the *practical operation* of twenty-four, would speedily require to erect a Bedlum for the incurables, wherein to ruminate, on the possible doctrine of chances in the regions of Political disquisition; "*calculating the value of the Union,*" as you observe.

The Constitution of the United States alone speaks like a Sovereign. From the pinnacal of the Temple to Union, the *Majesty* of a free people proclaims,—"*We the people of the United States!*"



## VOX POPULI VOX DEI!

- We—Lay and collect Taxes throughout the United States.
- We—Borrow money on the credit of the United States.
- We—Regulate Commerce.
- We—Establish uniform rules of Naturalization.
- We—Coin money.
- We—Define Piracies, and *punish treason*.
- We—Declare War, and make Peace.
- We—Raise and support Armies.
- We—Provide for calling forth the Militia to execute the laws.
- We—Suppress Insurrections, and repel Invasions.
- We—Provide for Organizing and Disciplining the Militia and governing such parts of them as may be employed in the service of the United States.
- We—Guarantee to the several states a Republican form of Government.
- We—Have defended Treason: and
- We—Make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers, invested by this Constitution, in the government of the United States, or any department, or office thereof.

Such are the outlines of the Temple of our “*Constitution*.” I do indeed mistake, Sir, if a “*common Arbiter*” shall fail now to be found, in any and every case of overt act of insurrection, rebellion and treason, within the boundries of the Constitution, whether such acts be perpetrated in South Carolina, or any other state; and that *common Arbiter* is, and ever will be, the vote of a majority of the people of the United States, in Congress assembled!

It was indeed feared, and believed, by some, at that day, that the general would destroy the State Governments, and become dangerous to civil and political freedom. It does appear to me a most daring attempt, or a gross infatuation on your part,

at this day, to suppose the least of it, now again and merely on temporary *commercial grounds*, as during the late war, to raise this *shame-faced* question, and by way of threat, and the menace of State Sovereignty nullifications, to dissolve the Union, stands wholly unprecedented in determined purpose. You have placed the deceased patriot, Thomas Jefferson, in your Van, in this new career, and the materials for his *posthumous sacrifice*, have been sought and triumphantly published, and said to be found written on "*scraps of paper, in his secret family bureau, of date 1798,*" as favouring your nullifying "*sentiments and opinions.*" This immolation may also serve to cover a retreat, if necessary, from the apprehended reprobation of twelve millions of united freemen; although you now declare yourself "*regardless of their effects personally.*"

The Constitution was opposed mostly in the large states, and in the then Sovereign Convention of this state, convened in 1789, to pass upon the adoption or rejection of the Constitution of the United States, it was declared that, "it robbed the states of their *Sovereignty*, that it was a mammoth, would swallow "up the state governments, destroy civil and political "liberty, reduce the states to mere '*Corporations,*' "and that the great Convention itself, had declared "it to be a '*CONSOLIDATION,*' &c." Here, Sir, we have discovered the *embryo*, the *alpha* and the *omega* of the whole nullification system.

At this time a party arose denominating themselves anti-federalists, that is, adhering to the old confederation, *State Sovereignty*. From long habit, these words were continued in general use, after the present Constitution went into full effect, but the idea of a *supreme power* continuing to be attached to the states, individually, as under the Confederation, would, at that day, and now, as I frequently find on explanation, be deemed an *absurdity*, as it really is. You repeat this fallacy *nineteen times!* it is your repeats which carry with them a *smothering of better judgment*. The re-

maining *state rights* COULD *only be ment.* Thus have the words "*State Sovereignty*," crept along under *masked State Batteries*, for forty-three years; and the Vice President of the United States is the first now to proclaim *State Sovereignty*, not only in the literal sense of the word, but in a superabundance of *supreme* and *paramount* power, of which the "*United States Government is but its mere creature.*"

Yours, &c.

BENJAMIN ROMAINE.

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## STATE SOVEREIGNTY,

AND A CERTAIN DISSOLUTION OF THE UNION.

No. 7.

SIR,

It was shewn in No. 6, that none of the state Constitutions now assume individual Sovereignty as under the old confederation; that, if the states had intended to retain their Sovereignty, they would have so instructed their several delegates in the Convention, or have refused to sanction the Constitution, as the words *State Sovereignty* are not even mentioned in it; but it is declared by the Convention, to be "obviously impracticable, in the federal government of these states!"

Every true American should raise his voice, loud and incessant, against all doctrines calculated to weaken, divide and confound the allegiance of the whole people, of the United States, to the Constitution. We all inhabit some one or other of the states. Now says one, I hold to the existence of twenty-four independent state Sovereignties, on Vice President Calhoun's plan, and therefore deem my allegiance to be due to my "*native state.*" and if they all say so, or two



thirds, as you observe, then is the union dissolved. But if all adhere to the United States Sovereignty and sole allegiance, then we remain a united nation.

You say. "*I do not deny that a power so high as State Sovereignty,, may be abused by a State; but that the love of national power and distinction, the danger is on the side of the union.*" As respects "the love of *distinction*," Sir, where an individual sways the Sovereign power, the greater danger no doubt is on that side; but in our national Sovereignty, experience abundantly proves the danger to be, not on the due exercise of *state rights*, but notoriously, on state assumptions of Sovereignty *not retained!* Hence a few state leaders are so repeatedly found able to excite to the most dangerous, and daring usurpations on the mild and dignified character of the general government; but not a single instance exists, where the national government has given the smallest sign of encroachment on the *state rights*. — Nay, such act would be in total repugnance to its own existence! Our admirable Constitution, having so entwined and "*Consolidated*" our state and general governments, as to render the one absolutely indispensable to the existence of the other; and specially the general government, wholly depends, for the constant renewal of its own existence, on the preservation of state rights! There cannot then be a single motive to encroach on those rights. The state assumptions by repetition have acquired great strength, and may ultimately demand of the only true Sovereign authority, some high display of its Constitutional energies to preserve itself. Experience proves that our general government still demands the most vigilant foresight, and determined energy of the whole people to preserve it from state aberrations. We shall always have an abundance of state aspirants, would be Lords and Barons, who have missed their aim of ambition in higher pursuits, and to whom your state Sovereignty affords a wide field for display. The general Sovereignty is, and has always been the object of their *fears* and *hate!* Again, Sir, on the moral point, man first loves himself,

his family, his neighbourhood, city, and state follows in the scale of his attachments; but to embrace a union of states, requires, not only a more than extraordinary share of intellect, but the expansion of a benevolent patriotism. It has been fully proved, in No. 3, that all our partialities hung on the state Sovereignities, in 1787, to the very brink of ruin, and nearly to the total abortion of all our acquisitions attained by the revolution; and the deep deceptions now practising on the good people of South Carolina, is full evidence of like attachment at this day.

These confiding people, are now excited, and, as said, "*goaded on*" to elect two-thirds of both houses of their State Legislature favourable to your nullification.—That in such event only, can that Legislature call a State Constitution,—whose power alone can declare, and bring the state back to its original Sovereignty, and absolve them from all allegiance to the United States. If this device prevails, then will your State Legislature and their Convention assume the entire responsibility. Then will the legerdemain be complete, and the nation plunged into a civil war, for *protecting* the people against foreign monopoly.

We had been accustomed to use the words *State Sovereignty and Independence* with veneration and *correctness* from the 4th day of July 1776, up to the 4th day of March 1789, twelve years and eight months, when the present Constitution went into full effect. On this all important *transition*, or change "of the relations between the states and general government," it only required to put in use their true substituted fact meaning, *Viz.—State Rights*, in the stead of continuing the words *State Sovereignty*, which became abrogated, on the adoption of the present Constitution. These two words is the true hocus-pocus, of all the state aspirants from that day to this. What shall restrain a Sovereign power but its limitations, if the states are all Sovereign, then is the United States Sovereignty annihilated; *and this is the sum of the whole matter at issue!*



What is the general government, but the aggregate of state rights? The state authorities, legislative, judiciary and executive, are in the constant exercise of those retained rights, to sustain their united Sovereignty. It certainly borders on the ridiculous, even to suppose this *united Sovereignty* to seek to injure or destroy the state rights by which alone that Sovereignty can continue to exist! Nevertheless in every individual and state aberration, the first we hear, is state Sovereignty, and a vast concern about the infringements on "*paramount*" state rights. Your "sentiments" are now before the people, who will ultimately judge truly of your moral and political sanity in the premises. "*Mene Mene Tecal*" is already written on the wall. "He has been weighed in the balances and found wanting."

I have read somewhere that—such is the nature of *untruth*, that, if not arrested in its course, would, not only destroy a kingdom, or a nation, but the whole creation of the Almighty throughout the infinitude of space!

It is indeed lamentable to know, and disgraceful to reflect, that, during forty-two years our beloved country should have been kept in almost perpetual broils, from the repeated threats, mere quibbles, falsehoods, and misrepresentations of the words "*State Sovereignty*;" and which, during this period, has been frequently made to shake the union to its centre!

Your nineteen repetitions of "*Sovereign parties to a Compact, or joint Commission*," as you have it, wherein each partner contracts for the right, at any time, to nullify and break up the whole concern, is certainly very *novel*. Sound minds, among the people, will always think there is some mistake about it on your part, as there never before had been known or heard of, *thirteen sane individuals, or even thirteen states*, who had made such "*COMPACT*!" again, Sir, shall we now confound the common understanding by abstract subtilties, and inform the world in the face of all our solemn treaties made with it,—"*that foreigners do not understand the relations which the states and general government now bear to each other*?"



That the Sovereign states, "as distinct parties," and by way of *Compact* made with each other, had indeed accepted their *United Sovereignty*; yet, and nevertheless, that each Sovereign state, held a paramount power, as a reserved state right, to put their "*Veto*," or *nullification* on their own laws, as made in their United Sovereign capacity!

Let natives and foreigners, at all times keep a steady eye, to the plain facts in our Constitution, and guard against the misrepresentations, and falsehoods, which are repeatedly made to surround it; then will they be no longer perplexed, confounded, deceived and discouraged in their support and imitations of our unparalleled model of government. If this be neglected by *ourselves*, the world will shortly turn from us in disgust, and cease to imitate our institutions, as *discordant* and *unintelligible*; and oppressed man loose his hope of relief from the personal despotisms; and we, at no distant day, be driven back to the verge of the *precipice* which the states in their separate Sovereignties had led the people of the United States in 1787, as before described. Then, Sir, there may be no uniting arm to save us from the tyranny, of perhaps *twenty-four*, or may be *fifty* petty Sovereigns, and their special court parricides, *both male and female*, seeking broils, hatreds, and open war-fare with their nearest neighbours.

It is indeed, Sir, almost incredible, that, from 1787 to the present day, has this state Sovereign phantom been kept up and displayed, by way of political incantation, in all and every of the aberrations against the general government; and specially in every imaginary, local, and temporary interest of states or individuals. We have seen this Sovereign Talisman raised, clothed, and sent forth among the people, in all the solemnities of Samuel's Ghost! and but for this, my honorable friend would have been spared the trouble, and great *perplexity*, in writing NINETEEN columns, of close newspaper print, to sustain a NONENTITY!

Yours, &c.

BENJAMIN ROMAINE.

## STATE SOVEREIGNTY,

AND A CERTAIN DISSOLUTION OF THE UNION.

No. 8.

SIR,

In No. 7, the absolute necessity of sole Allegiance to the United States Constitution, were shown to be indispensable to union; that the aggregate of state rights is the compositive of the United States Sovereignty, &c.

Recent accounts, from the United Republican States of Mexico ! say, that General Santa-Ann, is now also at the head of a state Sovereignty party, and has demanded of their Vice President, "to dismiss his Cabinet Ministers because of their adherence to CENTRALISM," by which the United Sovereign power is ment. Your publication of 1831, in all probability has produced this movement in Mexico. If Santa-Ann succeeds following up the high example now set before him by the Vice President of the great mother of republicanism, it will need no prophet to foretell the destiny of the Mexican Republic; and, in all probability the fate of the other seven Republics, spread over the vast and delightful regions of South America.

These republics have been struggling to attain some fixed form, for more than twenty years; first in imitation of our *model*, which, if it had gone to these people, in its pristine beauty and simplicity, and freed from the polluted contaminations of *our* restless positions, these republics, together with our own, it is reasonable to believe, would, long e'er this day, have perfected their institutions, and now presented a line of republican fronts along the whole range of the Atlantic Ocean, on the East, and the Pacific on the West, reaching onward, and preparing the way for the multiplication of republics, as man shall increase, until they arrive near to the eastern boundary of the Russian Autocrat.



The great danger to the *liberty, peace, power and happiness* of the American Republics is, their splitting into petty State Sovereignities. The opinion which long prevailed, that "Republics could only exist in small territories," and which you now favour, has become reversed, I trust, where the Sovereign power is "*consolidated*" in the great body of the people, as with us, operating through their grand lever and regulator, the *elective franchise*.

You thus proceed, and again repeat, "that our United States Constitution was formed by delegates from the people, while in their separate and Sovereign State capacity. That it IS a compact, (I would say WAS a compact) and that the several States, or parties, have a right to judge of its infractions; and in case of a *deliberate, palpable, and dangerous exercise of power*, NOT DELEGATED, they have a right, IN THE LAST RESORT, to interfere for arresting the progress of the evil, and for maintaining within their RESPECTIVE LIMITS the authorities, rights and liberties appertaining to them. Again.—That the resolutions of the general Assembly of Virginia, relates to those GREAT AND EXTRAORDINARY CASES, IN WHICH ALL THE FORMS OF THE CONSTITUTION, MAY prove ineffectual against infractions dangerous to the essential rights of the parties to it. The Resolution again SUPPOSES, that dangerous powers, NOT DELEGATED, MAY not only be usurped, and executed by the DEPARTMENTS, but that the *Judiciary Department* MAY also exercise, or sanction, dangerous powers beyond the grant of the Constitution, and consequently that the ultimate right of the parties to the Constitution to judge, whether the Compact has been dangerously violated, must extend to violations by one delegated Authority, as well as by the other, by the *Judiciary*, as well as by the *Executive*, or *Legislative*."



Here, Sir, you divide and prostrate, at one *fell swoop*, the entire unity of the general Government, *Judiciary, Legislative and Executive*, nothing now remains fixed, and permanent, except your *plural Sovereignities*.

Really Sir, we may *suppose* any thing. The force, however, of such like *suppositions*, as above, and as made in 1798, in the great electioneering struggle to place Mr. Jefferson in the chair of the union, is now lost by the extravagance of them. As now applied to our government, on the Tariff question, and protecting system, they are wholly irrelative.

You proceed to say,—“that this right of interposition, thus solemnly asserted by the state of Virginia, be it called what it may, *State Right, Veto, Nullification* or by any other name, *I conceive to be the fundamental principles of our system! and that the error is in the assumption that the general government is a part of the Constitutional Compact!*” It is the Constitution itself, as I understand it.

May the heavens protect us from your “state Sovereignty parties to our Constitution of general government.” Every general law is henceforth to be made subject to the whim, caprice, or special local interest of every state in the union, to be determined on by their several state leaders of party! and to call a United States Convention to settle them as they occur.

Again you repeat, yes repeat, “that if one party has the right to judge of infractions of the Constitution, so has the other, and that *consequently*, in case of contested powers between the states, and general government, each would have the right to maintain its *opinion*, as is the case when Sovereign powers differ in the construction of treaties, or compacts, and that of course, it would come to be a mere “question of *FORCE!*”

If your premises be true, and your conclusions in conformity to the present Constitution, then is our country in an awful condition, and a Convention of the *twenty-four* states ought to be called without de-

lay, as in 1787, and as the Constitution directs, to relieve us, *once more* from the dread consequences of this "*State Sovereignty!*" If false, you are now under a vast responsibility.

I am, Yours, &c.

BENJ. ROMAINE.

## STATE SOVEREIGNTY,

AND A CERTAIN DISSOLUTION OF THE UNION.

### No. 9.

SIR,

In No. 8, your quotations from the Virginia and Kentucky resolutions were in part considered. You proceed to say that—"should the general government, "and a state come into conflict, we have a higher "remedy; the power which called the general government into existence, and which gave it all its authorities, may be invoked. The utmost extent then "of the power is, that a state, acting in its Sovereignty, and as one of the parties to the Constitutional "Compact, may *compel* the government, created by "that Compact, to submit any question, touching "its infractions to the parties who created it."

The Constitution provides for amendments, only on application of two-thirds of the state Legislatures, or two-thirds of both houses of Congress, a convention shall be called, &c. But no provision is made, by the present Constitution, to refer any dispute between the general government and a state, to the collective body of states, as sovereign parties to any *Compact*. Such, indeed, was the rule under the confederation, when Congress legislated on the states, as Sovereignities, by requisition for all their wants; and not as at present, by *commands*, on the whole people of the United States collectively. You have constantly deceived yourself and us, by using the word *Compact* indiscriminately in both cases. The present *Constitution*, (not now a *Compact*) provides for the adjustment of your nullification dispute, by the judiciary of



the United States, having jurisdiction "in all cases of law and equity, arising under it, in controversies to which the United States shall be a party." This is your present assumption. On this dilemma you reason at great length on possible hypothesis, and finally are obliged to cut the gordian not, and openly prostrate the present judiciary power, before the shrine of your "Sovereignty parties" to the old confederation *Compact*, with which it has nothing to do. Nevertheless, in the next breath, you exclaim,—“I yield, I trust to few, in attachment to the judiciary department. I am fully sensible of its importance; BUT, it is impossible for me to *believe*, that it was ever intended by the Constitution, that it should exercise the power in question, or, that it is competent to do so; and if it were, that it would be an unsafe depository of the power.” You thus fritter away, piece-meal, every of its provisions, which fail to suit your purposes; and finally declare that “*the general principles of the Constitution itself are brought into question!*” There is no disguise here.

Now follows your “sentiments and opinions,” in relation to the right of the majority to govern, and the contrary. You begin, and in like eulogy, as on the judiciary; “no one can have a higher respect for the *MAXIM* that the majority ought to govern than I have, *taken in its proper sense*: subject to the restraints contained in the Constitution, (I know of none) and confined to subjects in which every portion of the community have *similar interests*: (there never was such a community) but it is a great error to suppose that the right of the majority to govern is a *nation-ly right*, and not a *Conventional right*. Where the interests are the same, that is where the laws that may benefit one will benefit all, it is just to place them under the control of the majority. (There never were such holy laws on earth, and Milton says—*angels differed*.) *But* were they are dissimilar, so that the law that *may* benefit one be ruinous to another, it would be, on the contrary, unjust and absurd to subject them to its will. Such I conceive to be



“the theory on which the Constitution **RESTS**. (Rests? no sir, you have placed it on the baseless fabric of a vision.) Where there are no contrariety of interests, (such perfection never did exist even in a single family) nothing would be more simple to preserve free institutions. Then the right of suffrage alone would be a sufficient guarantee. *Indeed a Constitutional provision giving to the great, and separate interests of the community the right of self protection, must appear, to those who will duly reflect on the subject, no less essential to the preservation of liberty than the right of suffrage itself*” (This is impossible, and would destroy every government on earth. “*Tell this not in Gath,*” as the “*opinion*” of an American Statesman!)

How far your nice distinctions between a *Conventional right*, and a *natural right* of the majority to govern, in our Republic, I must refer back to your score of aids in the mystical course of your productions; only to say, that the distinction **MAY POSSIBLE** belong to the sublime doctrines of ontology, or, “*the general affections and relations of existing substances and things!!!*”

However imperfect and even unjust the acts of the majority may be in some cases, it is nevertheless an indispensable rule in elective governments; and were it now to cease, it would unhinge the entire of social order; and that, whether it be a *natural* or a *Conventional* right, man would again return to his original condition—A SAVAGE! It is probable that Congress may pass unequal and even unconstitutional laws:—a State also, in their sphere of legislation, may do the same, and hurtful to some branch of industry:—a free press would soon correct the errors of both, or a change of representatives be a sure and legal remedy:—common sense, nay, common honesty, would call it madness to dissolve the Union on such contingencies.

Thus, Sir, through your entire range of “sentiments and opinions,” as I apprehend them, a like political diplomacy appears, which frequently requires

a page to explain the bearing of a single word; *this is unpardonable in a republican statesman*. You repeatedly quote Mr. Jefferson to your views, I beg also now to quote from his first Inaugural address on entering on the duties of President;—they are all directly opposed to your quotations. He says, “*the preservation of the general government, in its*” **“WHOLE CONSTITUTIONAL VIGOUR, is** “*the sheet anchor of our peace at home, and*” **“safety abroad. An absolute acquiescence in the** “**DECISION OF THE MAJORITY, is the vi-** “*tal principle of Republics, from which their*” **“is no appeal!** To support the *State Rights*, (he “does not say State Sovereignty,) as the most com- “petant administration of our domestic concerns, “and the surest bullworks against *anti-republican* “*principles,*” which adhere to the Sovereignty of the individual States as under the old Confederation, and for which you now stand forth the most conspicuous man who ever wrote or spoke in this community, and in direct opposition to the above sentiments of Mr. Jefferson. Can it ever be believed, for a moment, that Mr. Jefferson gave his sanction to your doctrines of nullification and State Sovereignty, when, only a short time before, he penned the above official opposition to them? I will not again disturb the ashes of this great man, however, you may in future seek shelter for your own assumptions under his name.

Again.—The father of his country, **GEORGE WASHINGTON**, also opposes all your “sentiments,” on the same subject: he says, “a careful “preservation of this blessing, (our Constitution of “general Government,) will acquire the glory of re- “commending it to the applause, the affection and “adoption of every nation which is yet a stranger “to it.”

Again.—“The unity of Government which constitutes you *one people*, is also ever dear to you, “much pains will be taken to weaken in your minds “this truth. *Designing men may* **ENDEAVOUR**



*“to excite a belief that there is a real difference of interests and views; beware of heart-burnings from these misrepresentations.”*

Again.—“That facility in changes upon the credit of mere *hypothesis* and *opinions*, exposes to perpetual change, from the endless variety of *hypothesis* and *opinion*. ¶ That in a country so extensive as ours, a Government of as much vigour, as is consistant with perfect security of liberty, is indispensable. *Frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, enfeebling the sacred ties which link together the various parts.* BUT LET THERE BE NO CHANGE BY USURPATION; THOUGH IT BE THE INSTRUMENT OF GOOD, WHICH IS OVERBALANCED IN EVIL TENDENCY! Parties in small minorities, will seek to make the public administration the MIRROR OF FACTION, and become the most frightful despotisms, of one faction over another.”

In relation, Sir, to this last of my quotations from General Washington’s farewell address, where he speaks of the MIRROR FACTION, I cannot now forbear to quote from Senator Miller’s speech in the United States Senate, on President Jackson’s answer, of the 14th day of July, 1831, to a formal invitation to dine on the 4th of July, with a party, as such, in Charleston, South Carolina. Miller says, “the great body of this party, (the nullifiers,) resident in Charleston, took it into their heads, on the 4th of July to celebrate that day as a party, and sent for foreign aid; made a formal communication, requesting the President (Jackson) to come to their assistance,—and the aid was furnished in a letter containing a threat against the party, of military force, to coerse state legislation to conform to Federal legislation. Well (says Senator Miller) what would be the result of the President sending a military force against the state laws of South Carolina? Sir, if he headed his force himself, one of our



“judges would serve him with a rule, as Dominic Hall did, when at the head of his army at New-Orleans, and if he did not obey the rule, he would be “committed.” I must thus take Miller’s sense of Jackson’s letter, as I have it not at hand.

Will President Jackson, who declared that he would have hung the leaders of the Hartford Convention, if he had been in command there; I say, will he now be less energetic in the South, *when in chief command?* and where the second officer of the government, is at the head of a powerful *party*, issuing long proclamations and in the full tide of open preparation? Surely, the conduct of the Hartford Convention bore no comparison with the present daring outrages of South Carolina. Surely, the President will never fail in his declaration, “**THAT THE UNION MUST BE PRESERVED.**”

I am, Yours, &c.

BENJ. ROMAINE.

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## STATE SOVEREIGNTY,

AND A CERTAIN DISSOLUTION OF THE UNION.

No. 10.

SIR,

In my canvass of your productions, it was found impossible to connect any regular chain of ideas with the present *Constitution* of the United States; they are only applicable to the *Confederation* COMPACT of 1778, throughout. The first article of which declares that “each state retains its Sovereignty, freedom and “Independence, and every power, jurisdiction, and “right, which is not by this *Confederation* expressly “delegated to the United States in Congress assembled.” This article presents the *head* and *front* of your state Sovereignty assumptions; and which the present Constitution declares to be “*obviously impracticable*, in the federal government of these states, “to secure all rights of Independent Sovereignty to

“each, and yet provide for the interests and safety  
“of all.”

You now deny the right of Congress to *protect* the Citizens, Mechanics and Tradesmen, against foreign manufactures, by import duties; and declare that,—  
“this protection has divided the country into two great  
“geographical divisions, and arrayed them against  
“each other on the subject of Finance, Commerce and *Industry*.” The old Compact is here also your *sole guide*. It restricted the Legislation of that Congress in all these particulars. In the CONSTITUTION, these *protections* form a main article in it.

An old member of Congress told me, that the Confederation *Compact*, could not be executed by Congress without a constant resort to the doctrine of *construction*, or *implication*; otherwise, “*sentiments and opinions*.” The verity of the remark is amply proved in your many adroit efforts, of construction, to reconcile that *Compact* with the *Constitution*, which are totally distinct in sense and meaning. You use these words always synonymously, to suit your nullification. You reason and compare, repeatedly run foul; and again compare and reason, and finally, so entangle yourself, in your own toils, as to make it absolutely necessary for escape, to abandon the CONSTITUTION to its fate; and boldly finish off on the state Sovereignty grounds of the “COMPACT.”

I have already far exceeded my limit on this most painful subject, and shall only enumerate a few of the remaining heads of your several positions; always carefully preserving your sense, where brevity requires my own phraseology. Nought has been, nor shall be set down in malace, “but much extenuated.”

1st. You say that the states are gradually subsiding into sectional and selfish attachments. (Who now stands before the world as the main agent in the course?)

2d. *That the general principles of the Constitution itself is brought into question!!! (By Whom?)*

3d. That the majority is at the North, but the South is more determined. (who made this threat?)

4th. That the course of the general government is unconstitutional. (The legal authorities declare against this "*opinion*.")

5th. That relief has been sought from the government but now, driven to despair, the South are raising their eyes to the reserved Sovereignty of the states. as the only refuge. (I presume to free them from their obligations to the Constitution.)

6th. That the question now is between the *exporting and the non-exporting interests*. That is, if English Jenny-spinners, spindles and Power looms be curtailed in their use and occupations, in the cotton line, and the *free* exportation of their productions to our country, then is the nullification of our protecting laws to be declared, and the union dissolved!!

7th. That the progress of events are rapidly bringing the contest to an *immediate and decisive* issue.

8th. That the widely and diversified *interests, and relative estimates*, without some Constitutional check, must become interminable, except by the dissolution of the union itself.

9th. That there is a deep and growing conviction in a large section of the country, that the *imposts*, even as a system of revenue are extremely unequal.

10th. That in a state of *determined conflict*, in relation to the great *fiscal and commercial* interests of the country, the opposite views that prevail, in the *two sections*, as to the effects of the system, ought to satisfy all of its unequal action.

11th. That nothing can be more certain than that the impression is widely extending itself, and if to this be added a *deep* conviction, still *deeper* and more universal, that *every duty imposed for the purposes of protection, is not only unequal but also unconstitutional*.

12th. "That in order to understand more fully the difficulty of adjusting this unhappy contest, of the Constitutional objection; and that it may be clearly seen how *hopeless* it is to expect that it can be *yielded* by those who have embraced it. That Congress are not only restricted by the *limitations* imposed, but by



the nature and object of the granted powers themselves! That though the power to impose duties on impost be granted, without any express *limitations*, but that they shall be equal in the states. It is therefore restricted as much as if the Convention had *expressly so limited it*: and that to use it to other effect is an infraction of the instrument itself; and that the same view is believed to be applied to the regulations of Commerce! (Here is a fine specimen of your talent in the art of *construction* and *implication*, required by the old *compact*, as mentioned by the old member of Congress.)

13th. That to surrender these *principles*, (protect us ye G—ds!) would be to surrender all power to the government of the United States, even so despotic; and the *labour* and *property* of the *minority* subjected to the *will* of the *majority*!

14th. That we have arrived to a point which a great change cannot be much longer delayed, and the more *promptly it be met*, the less excitement there will be, and the greater *leisure*, and *calmness* in making the transition; and which becom es those the more immediately interested to consider. (What *transition*? Our troops *swore terribly* in Flanders.)

15th. That the south asks from the government, only to be *let alone in the undisturbed possession of its natural advantages*; that *these were the leading motives for entering into the Union*. (Such is now the *extent* of the Vice President's, *national patriotism*; who has been led through a range of high offices, from his youth, and now stands *second* in the *nation's partiality*. I am now more than ever convinced that no man in the high stations, should be kept in office beyond a definite term.)

I will only remark here that, the Vice President has now finally settled the matter. He demands that the government shall do that which is out of the power of all combined to do, short of a dissolution of the Union)

The Vice President winds up in the following manner. "In thus placing my sentiments and opinions before the public; I have not been actuated by ex-

“pectations to change the public sentiment. This  
 “would argue, on my part, an insufferable *vanity*, and  
 “a profound ignorance of the human heart. (I must  
 “here ask, *is this not a mistake?*” However it may  
 be, your productions have spread more political heresy  
 throughout this nation than any other man since the  
 adoption of our *national government*. What! write  
 nineteen columns of close newspaper print without an  
 effective object, or “EXPECTATION” of motive? This  
 would indeed argue “*an insufferable vanity.*” It could  
 not surely be merely to display “learnings luxury;”—

“Or tricks to shew the stretch of human brain,

“Merecurious pleasure, or ingenious pain.”

However “*ignorant*” it may be, on my part, I do  
 confess, that my whole soul is now in exercise,—in  
 hopes,—and even in “*expectations*,” to ward off some  
 of the baneful consequences (as I conceive them to  
 be) of the Vice President’s “sentiments and opinions,”  
 as relates to my native country; in whose defence I  
 have passed five years in arms, during her revolution,  
 was twice wounded,—made prisoner,—in captivity  
 twelve days, under the notorious Cunningham, in the  
 old jail near our park; and the remainder of seven  
 weeks in the sugar-house, next to the new Dutch  
 Church, in LIBERTY STREET,—was regularly exchanged,  
 and continued in arms to the end of the war. And  
 again,—served nearly three years of arduous duty in  
 the late war. That I am now seventy years of age,  
 in good health, and all that yet remains of me belongs  
 to my country. I seek no office of emolument. I have  
 ventured this piece of egotism since my honorable  
 friend has been so voluminous in speaking of his  
 patriotism.

The Vice President proceeds to say that, “I dare  
 “not hope in taking this step I have now done, to  
 “escape imputations of improper motives, though I  
 “have, without reserve fully expressed my opinions,  
 “not regarding whether they might be popular. I  
 “have no reason to believe that they are such as will  
 “conciliate public favour, but the opposite, which I

“greatly regret. But be that as it may, I shall, at least, be sustained by *feelings* of conscious rectitude, regardless of their effects *personally*, which, however interesting to me individually, are of too little importance to be taken into the estimation, where the liberty, and happiness of my country are so vitally involved.”

(Signed) JOHN C. CALHOUN.

N.B.—I will not impugn your *motives*; I must your *judgment*, in the premises.

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### CONCLUSION.

I have remarked that the two words, “*State Sovereignty*,” had been retained in common use after the adoption of the present Consitution, when the fact ceased to exist: and that the neglect, or oversight, to have put into use, the true substitute [also consisting of *two words*,] viz. “*State Rights*,”—now stands as the *head* and *front* of all the personal and state aberrations from that day to this, against the government of the Union, and the sacrilegious arm is again lifted up.!

And again.—The mistaken use of the word “*Compact*” also, as applied, indiscriminately, to the confederation, and the present Constitution, has led my learned friend into the inextricable labyrinth of his mystical delusions. The Confederation was indeed a *Compact* between thirteen independant Sovereignties, and continued so to be, until it was abrogated by a *Constitution*. The grand Convention met indeed, “*as Sovereign parties under the Compact*,” and finished by establishing a *Constitution*. The word *Constitution* is not mentioned in the *Compact*, nor is the word *Compact* named in the *Constitution*; it would have been a perversion of *terms*, as they are totally distinct, in *sense*, and *irreconcilable in principle*. Our State



Constitutions are not called Compacts, because they were formed by order of all the people of each State; and the aggregate of the State Constitutions is now the Constitution of the United States.

The world thus viewed the simple structure of our government, as we did, with wonder and delight. The plain written Constitution was the only guide, and declared to be "*the Supreme law of the land.*" Europe commenced the struggle of imitation, and seeks relief from the vindictive personal, and family despotisms. Every foot-step is marked in blood!

It is painful to remark in the public speeches, and addresses of our great men, a kind of *half yielding* to the present boisterous and tumultuous displays of a few, *may be*, "*brave and desperate leaders.*" Sedition is encouraged by a relaxation in the power to punish it. If this *yielding*, is yet expected to effect reconciliation, I am wrong in the estimation of it. The Vice President meets the case on his part *boldly*, that such "*expectations are hopeless,—that the South is determined!*" Let it be remembered that sedition unchecked, will soon become rebellion, and too powerful to be restrained, but by physical force, thus the old addage, that "*fears in the public councils betray like treason.*" The "*POTOMAC*" is the dividing line!

The English historian says that, "in 1653, Oliver Cromwell, who hated subordination to the Republican Parliament, had the address to get himself declared commander in chief of the English Army; he became afraid that his services would be forgotten—went on the 20th April, 1653, without any ceremony, with about 300 Musqueteers and dissolved the Parliament and assumed the Dictatorship," when probably they also were making long speeches in the Parliament about *reconciliaton*, "*they were nullified in a body.*" In the same manner Buonaparte, at the head of a few Grenadiers, dissolved the republican legislative body of France, and became an Emperor! Cromwell's partizans declared him *Lord protector of the Commonwealth of England*; a title under

which he exercised powers, far beyond those of the royal dignity. No king ever acted more despotically than he did. His partizans liked this, but threatened to oppose him if he took upon himself the *Title of King*; on which subject he had frequently sounded them. His amazing success in arms, dazzled the great mass of the people. However, after a most *uncomfortable usurpation* of four years eight months and thirteen days, he died, miserably, on the 3rd of September, 1658, in the sixtieth of his age."

The Vice President also speaks much of the "*Co-ordinate powers* of our government." This is also a mistake.—another catch-word. There are no such departments or powers in our government. The compound word "*Co-ordinate*," is defined to mean, and does mean, "*holding the same rank*," we have *first*, a legislative power, which comes *immediately* from the people, and is the real Sovereignty! It makes the laws, and holds the Constitutional power to impeach the Judiciary and the Executive, if the one or the other neglect, refuse, or become guilty of usurpation, or mal practice in their several and distinct stations. There is no power to impeach the legislature, it is a falacy to teach that "*each of the three great departments of our government hold an equal power to judge of infractions*," in the same cases, and "*co ordinate*" manner. The Judiciary, judges of the Constitutionality of the laws which the Legislature makes, and the Executive executes the laws thus made and judged of. Here is no *co-ordination*, or holding the same rank, each department is distinct. This amalgamation of powers is working ruin to our government, by the assumption of powers not in conformity of the Constitution. Let each of these separate and distinct authorities be assured that an *inflexible integrity and undaunted firmness, and courage*, will always meet the support of a free and enlightened people, at every sacrifice which may be required in all cases, of undue assumption.

## FELLOW CITIZENS.

The great body of the people, of both parties, love their general government; and permit me to repeat that, *external pressure and DOMESTIC TREASON*, can have no other tendency, *when it shall be clearly seen to exist*, than that of rousing the nation, in every part of it, in defence of the constituted authorities; *each in its strict and proper Constitutional sphere of duty*: admitting no encroachment, *for a moment*, of one department on the other. This is not now to be done, in speeches of bare recapitulation, of the daring outrages of a few individuals. The day has arrived when our public addressors should speak the language of defiance, and the *determined means* to save the Constitution. It is now time to rouse the nation to its dangers, and the true Constitutional means of its own inherent energies, and not to suffer them to perish by default. The line of the Constitution is the guide.

Our government is frequently spoken of, as resting merely on "OPINION."—NO! It is a government in FACT,—holding command, by order of the people of the whole United States, of all the energies of SUPREME POWER, over the Union, to inforce and sustain its undivided integrity, and equal, in all respects, to any government on earth!

Shall the page of history ever be obliged to record that the *present generation, and especially the present authorities, in ample majority*, through a faint hearted timidity, had suffered "*the worlds best hope*," to pass away like a morning cloud? while the destroyer is in open display, and determined arrangements, to get a whole state committed, calculating, no doubt, on a *timid opposition*, while perfecting their scheme, that, when it shall amount to an open approbation of a state, will be admitted as *valid*, and "*paramount*" to the Constitution and laws of the United States!!!

We have seen that our old ship *Confederation* with her thirteen commanders in chief, came well nigh foundering in 1787. Her fastenings were of lead



and her frame work was seen to shake. The alarm became general;—the whole company arose,—an examination was instituted; when all her timbers proved to be sound, and of American live oak.

Artists of the first order were instantly employed to rebuild, and new model; and in about five months the work was proclaimed to be complete. It was critically inspected by the *whole company*, and their orders *unanimously* given to make preparation for the launch.

The day was set, the solemnity to be performed in the City of New York, it was the fourth of March in the year of our Lord 1789. Washington had been selected to the chief Executive command. He appeared, *uncovered*, before the majesty of the people, and under the canopy,—in front of our City Hall, when Chancellor Livingston administered to him the oath of office, and then exclaimed LONG LIVE GEORGE WASHINGTON! The air was rent with shouts of acclamation.—Washington gave the word, and our goodly ship UNION *moved on her ways a model for the Universe!!!*

A witness to this scene declared that it appeared to him, that the hosts of heaven, at that moment, were looking down with approbation on the act. That he was deprived of utterance and could only wave his hat among the multitude! I was also a witness to the scene.—

Then it was, *at that moment*, when our State Sovereignties, not our reserved *State Rights*, ceased to exist; and the Sovereign power was proclaimed to be invested in the WHOLE PEOPLE OF THE UNITED STATES; ONE AND INDIVISIBLE. When, *at that moment also*, the Eagle of Union, adorned in the armoury of PEACE and WAR,—his shield emblazoned in letters of gold, waiting on the United Sovereign command; and then instantly raised his flight in the heavens, and like the orb of day, speedily became visible to half the Globe.—Proclaiming

E. PLURIBUS UNUM!















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